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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/773,742	02/06/2004	Philip R. Moore	MOOREPAT1	8620
20115	7590	08/17/2006	EXAMINER	
MARK CLODFELTER 555 SPARKMAN DRIVE SUITE 1602D HUNTSVILLE, AL 35816			WAGGONER, TIMOTHY R	
			ART UNIT	PAPER NUMBER
			3651	

DATE MAILED: 08/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/773,742	Applicant(s) MOORE, PHILIP R.	
	Examiner Timothy R. Waggoner	Art Unit 3651	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>02/06/2004</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Day, Jr. et al. USPN 5,083,846 in view of Anderson USPN 6,640,997.

Day discloses a fuel dispenser comprising:

(Re claim 1) "a fuel dispensing cabinet" (16 figure 1). "a fuel flow system in said cabinet and connected to a source" (20,22 figure 1). "a computer display", "a computer operatively connected to said display", "electrical pump control circuitry", "power supply circuitry" (lines 42-60 col 1).

Day does not disclose these components being mounted in a removable module.

Anderson teaches the mounting of components to a front panel with defines a removable module.

It would be obvious to one skilled in the art to modify Day to mount its components to a module like that taught by Anderson because it makes maintenance of components easier.

Claims 2-4,10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Day as modified by Anderson as applied to claim 1 above, and further in view of common knowledge as exemplified in Flannery et al. USPN 6,456,491.

Day as modified by Anderson discloses the invention as claimed in claim 1.

Day as modified by Anderson does not disclose the module being slidably mounted as claimed in claim 2 and 10 nor does it disclose the electrical connection means in claims 3,4 and 10

Flannery teaches a slidably mounted module, an electrical connector on the rear of the module and an electrical connector at the rear of the recess the module mounts in.

It would be obvious to one skilled in the art to modify the modular system used in Day as modified by Anderson to one that is slidably mounted and uses the electrical connectors as taught by Flannery because the system is easier to align and install.

Claim 5 and 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Day as modified by Anderson and further modified by Flannery as applied to claim 1 above, and further in view of Bohnert et al. USPN 5,797,470.

Day as modified by Anderson and further modified by Flannery discloses the invention of claim 4 and 10 and "a plurality of said fuel dispensers" and "a card reader and receipt producing device".

Day as modified by Anderson does not disclose networking the dispensers to a site controller.

Bohnert teaches the networking of a plurality of fuel dispensers to a site controller.

It would be obvious to one skilled in the art to modify Day as modified by Anderson to be networked as taught by Bohnert because it reduces the need for redundant systems for each dispenser.

Claims 6,7,12,13 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Day/Anderson/Flannery/Bohnert as applied to claim 5 and 11 above, and further in view of Ramsey et al USPN 6,055,521.

Day/Anderson/Flannery/Bohnert discloses the invention as claimed in claim 5.

Day/Anderson/Flannery/Bohnert does not disclose the site controller with configuration information being located in one of the dispensers and the system being unattended.

Ramsey teaches a system designed to be an automated unattended system, and a control unit with configuration information, which could be located in a dispenser since the system is automated.

It would be obvious to one skilled in the art to modify the arrangement of Day/Anderson/Flannery/Bohnert to be an autonomous self contained system as taught by Ramsey because it reduces the foot print of the system and provides lower operating costs.

Claims 8,9,14-16 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Day/Anderson/Flannery/Bohnert/Ramsey as applied to claims 7 and 13 above, and further in view of common knowledge as exemplified by Horn et al USPN 7,031,779.

Day/Anderson/Flannery/Bohnert/Ramsey discloses the invention as claimed in claim 6 and 7, and that configuration information is stored in permanently installed flash memory.

Day/Anderson/Flannery/Bohnert/Ramsey does not disclose that the configuration information could be on removable flash memory.

Horn teaches the use of removable memory one of which is flash to contain configuration information for a system.

It would be obvious to one skilled in the art to modify Day/Anderson/Flannery/Bohnert/Ramsey to accept a removable form of flash memory to contain the control information as taught by Horn because it allows for fast upgrades of the control information.

Conclusion

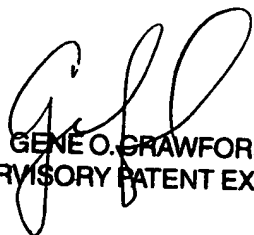
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. USPNs 6,529,800 and 5,596,501.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy R. Waggoner whose telephone number is (571) 272-8204. The examiner can normally be reached on Mon-Thu 8am-2pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene Crawford can be reached on (571) 272-6911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TRW


GENE O. CRAWFORD
SUPERVISORY PATENT EXAMINER